



Re: **TO** 28 FEB 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/527,439 Confirmation No. : 5419
First Named Inventor : Christian BARBA
Filed : March 11, 2005
TC/A.U. : (To Be Assigned)
Examiner : A. Royall
Docket No. : 095309.55994US
Customer No. : 23911
Title : Method For Determining a Change In Volumetric
Efficiency for an Internal Combustion Engine

SUBMISSION OF NOTIFICATION OF DEFECTIVE RESPONSE

Mail Stop MISSING REQUIREMENTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Attached hereto please find:

1. Response Copy of Notification of Defective Response dated January 23, 2006.
2. The executed Declaration and Power of Attorney (One (1) page).
3. Petition for (Five (5)-Month) Extension of Time under 37 C.F.R. 1.136(a) (in duplicate) including Credit Card Payment Form (PTO-2038) in the amount of **\$1080.00**.

We note that a Declaration including the second and third inventor's signatures was filed in our previous filing of September 28, 2005. The citizenship information for these two inventors was correct in the initial Declaration and therefore, they did not re-execute the attached Declaration and Power of Attorney Form.

Please credit any overpayment or charge any additional fees to the Deposit Account of Crowell & Moring, LLP, Account Number 05-1323 (Docket No.: 095309.55994US).

February 28, 2006

Respectfully submitted,

Gary R. Edwards

Registration No. 31,824

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UNITED STATES PATENT AND TRADEMARK OFFICE

 UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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U.S. APPLICATION NUMBER NO.

10/527,439

FIRST NAMED APPLICANT

Christian Barba

ATTY. DOCKET NO.

095309.55994US

INTERNATIONAL APPLICATION NO.

PCT/EP03/09415

I.A. FILING DATE

08/26/2003

PRIORITY DATE

09/12/2002

23911

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CONFIRMATION NO. 5419

371 FORMALITIES LETTER



OC000000017851057

Date Mailed: 01/23/2006

Missing Requirements Due 2-15-06

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Priority Document
- Copy of the International Application filed on 03/11/2005
- English Translation of the IA filed on 03/11/2005
- Copy of the International Search Report filed on 03/11/2005
- Preliminary Amendments filed on 03/11/2005
- Information Disclosure Statements filed on 03/11/2005
- Oath or Declaration filed on 09/28/2005
- U.S. Basic National Fees filed on 03/11/2005
- Priority Documents filed on 03/11/2005

Applicant's response filed 09/28/2005 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 08/15/2005 have not been completed.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - declaration does not have the correct citizenship listed

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

INDIA L EVANS

Telephone: (703) 308-9140 EXT 212

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/527,439	PCT/EP03/09415	095309.55994US

FORM PCT/DO/EO/916 (371 Formalities Notice)